

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Joseph L. Jones

2815 Shadblow Lane, Apt. 1  
West Columbia, South Carolina 29170.

SCDI File Number 2001-107166

**Default Order Revoking  
Resident Insurance Agent's License and  
Surety Bail Bondsman's License**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2000), by the South Carolina Department of Insurance upon Joseph L. Jones, a licensed South Carolina resident insurance agent and a licensed surety bail bondsman, both by certified mail, return receipt requested, and by regular mail on June 26, 2001.

That letter informed Jones of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance agent within the State of South Carolina. Despite that warning, Jones has failed to respond to the Department's letter. On July 25, 2001, therefore, counsel for the Department filed an Affidavit of Default, and submitted the entire matter directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to transact business as a resident insurance agent and a resident surety bail bondsman within the State of South Carolina, Jones improperly withheld money belonging to a consumer and defied direct instruction from the Department to return that money to the consumer. This conduct, as alleged, is a direct violation of S.C. Code Ann. § 38-55-150 (Supp. 2000) and can ultimately lead to the revocation of Jones's license as a resident surety bail bondsman. These acts, as alleged, are also a direct violation of S.C. Code Ann. § 38-43-130 (Supp. 2000), which provides the Director of Insurance or his designee with the power to "revoke or suspend an [insurance] agent's license after ten day's notice...when it appears that an agent...has violated this title or any regulation promulgated by the Director."

In accordance with my findings of fact, and considering Jones's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Jones violated S.C. Code Ann. §§ 38-53-150 and 38-43-130 (Supp. 2000) and that his resident insurance agent license and resident surety bail bondsman license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under

the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (Supp. 2000) of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore ordered that Joseph L. Jones' licenses to transact business as a resident insurance agent and resident surety bail bondsman within the State of South Carolina be, and are hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this consent order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Jones is currently licensed through the State of South Carolina Department of Insurance.

This order takes effect upon the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar  
Director

25 July 2001, at  
Columbia, South Carolina

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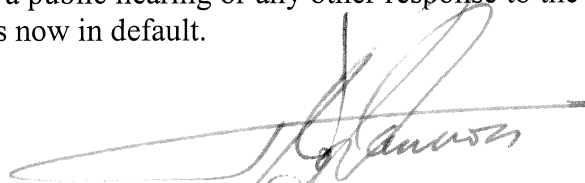
SCDOI File Number 2001-107166

**Affidavit of Default**

Personally appeared before me T. Douglas Concannon, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

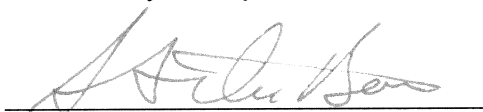
The Department served notice on Joseph L. Jones at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke Jones' license to act as a bail bondsman within the State of South Carolina in ten days. The Department served that notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2000), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That letter further notified Jones of his opportunity, within ten days, to request in writing a public hearing.

The United States Postal Service effected service of the notice by certified mail, return receipt requested, and by regular mail, on or about June 27, 2001. It specifically served notice of the certified letter upon Jones on June 29 and July 9. See "Exhibit A" attached. The United States Post Office at West Columbia, South Carolina returned the certified letter to the Department, having marked it as "Unclaimed." The Notice sent via regular mail was not returned. Jones has made no request for a public hearing or any other response to the notice. The time in which to do so has expired. He is now in default.



T. Douglas Concannon  
Associate General Counsel

Sworn to and subscribed before me  
this 25<sup>th</sup> day of July, 2001.



Steven R. DuBois  
Notary Public for the State of South Carolina  
My Commission Expires: May 10, 2009

South Carolina Department of Insurance  
Post Office Box 100105  
Columbia, South Carolina 29202  
(803) 737-6132